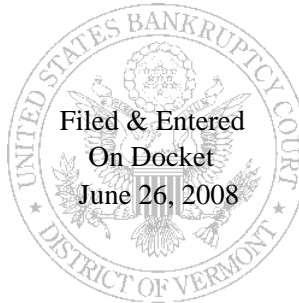


UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT

In re:

**Kevin B. Carpenter,
Debtor.**



**Chapter 7 Case
07-10378**

Appearances: John Canney, Esq.
Rutland, VT
for the Trustee, Pro Se

Kim F. Lefebvre, Esq.
Albany, NY
Assistant U.S. Trustee

ORDER

**DENYING TRUSTEE'S MOTION TO AMEND APPLICATION TO EMPLOY AUCTIONEER *NUNC PRO TUNC*
AND DIRECTING TRUSTEE TO SHOW CAUSE
WHY BUYER'S PREMIUM SHOULD NOT BE DEDUCTED FROM TRUSTEE'S COMMISSION**

For the reasons set forth in the memorandum of decision of even date, IT IS HEREBY ORDERED that the case Trustee's motion to amend application to employ auctioneer nunc pro tunc (doc. # 78) is DENIED.

IT IS FURTHER ORDERED, for the reasons set forth in that memorandum of decision, that the Trustee appear on **Tuesday, August 22, 2008 at 11:00 a.m.**, at the United States Bankruptcy Court, in Rutland, Vermont* to show cause why the Trustee's compensation in this case should not be reduced by the amount of the buyer's premium and that portion of the Auctioneer's compensation should not be paid from funds that would otherwise be allocable to the Trustee's § 326 commission.

IT IS FURTHER ORDERED that if the U.S. Trustee, case trustee, or any other party in interest wishes to file a memorandum of law on this issue, they shall do so **by July 14, 2008.**

SO ORDERED.

June 26, 2008
Rutland, Vermont

Colleen A. Brown
United States Bankruptcy Judge

* Parties from outside Rutland who wish to participate in this hearing may appear via videoconference.